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# International Lawyer's Guide to Legal Analysis and Communication in the United States

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balanced. Its 31 chapters are written by recognizable experts in the investment law field. Individual national laws and cases are discussed to a lesser degree than international courts and tribunals. Cross-list tables in the front of the book give readers a handy way to identify whether a case of interest is discussed and where it can be found.

Each chapter includes a select bibliography that is intended to assist researchers in learning more about the topic. Some authors were more selective with these references than others. The bibliography includes key non-English materials as appropriate.

Chapters in the section on Fundamental Issues include: "Policy and Objectives," "Investment, Investor, Nationality and Shareholders," "Applicable Law," "Do we need a Multilateral Investment Agreement," "Relationship Between Investment Treaties and Other Treaties," and "Trade and Investment." Chapters in the section on Substantive Issues include: "Admis-

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***... this title is a stand-alone treatise in which a broad overview and technical discussions around the fundamental, substantive, and procedural issues are balanced.***

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sion of Investment and Right of Establishment," "Standards of Treatment," "Coverage of Taxation under Modern Investment Treaties," "Most-Favoured-Nation Treatment," "Expropriation," "Emergency Exceptions and Safeguards," "Investment Insurance," "State Responsibility," "Corruption" (thankfully Illinois is outside the scope of the treatise!), "Transparency," and "Corporate Social Responsibility." Chapters on Procedure Issues include: "Methods of Dispute Resolution," "Transparency and Public Interest," "Independence, Impartiality and Duty of Disclosure of Arbitrators," "Consent to Arbitration," "Jurisdiction and Admissibility," "Relationship between International Arbitral Tribunals and Domestic Courts," "Parallel International Proceedings," "Remedies and Damages," "Review of Awards," "A Possible Appellate System," "Compliance and Enforcement," "Precedent," "Tribunal's Initiative or Party Autonomy," and "Conclusions and Trends" by the editors.

This title is probably more suitable for large academic law libraries than for most law firms. The second title in the Oxford Handbook of Law series, The Oxford Handbook of International Trade Law, deserves consideration in determining how useful the series will be for individual law firm acquisition decisions. In an increasingly globalized investment community, purchase of both titles (and subsequent offerings) in the series is recommended if this title is

deemed suitable. Law schools that support education in banking and investment law should invest in the series.

– David Rogers, Public Services Librarian,  
Sidley Austin, Chicago

## **LEGAL EDUCATION**

### **International Lawyer's Guide to Legal Analysis and Communication in the United States.** Deborah B.

McGregor & Cynthia M. Adams. 2008. Aspen Publishers/Wolters Kluwer Law & Business. Softcover. 469p. ISBN: 978-0-735564-77-0. \$75.

Aspen Publishers has published another very useful book for non-U.S. students and practitioners who are faced with understanding U.S. law. At first, I was a bit perplexed that Aspen had published this book, since the company also publishes the widely used *Legal Reasoning, Research, and Writing for International Graduate Students* by Nadia Nedzel. However, while the content does overlap some, the two books have slightly different target audiences and overall goals. One of the main differences is that while Nedzel spends a great deal of time on U.S. legal research, the *International Lawyer's Guide* explicitly does NOT cover legal research. Law libraries, especially academic ones serving an international clientele, would do well to have both in their collections.

*The International Lawyer's Guide* is aimed at both LLM students and foreign attorneys dealing with the U.S. legal system. Again there is some overlap, but these two groups do have some differing needs that are difficult to address in a single work. The structure of the book is very much geared toward use as a textbook for LLM students. Foreign attorneys will also find much of the information useful with, perhaps, only the chapter on taking law school exams irrelevant to them. The addition of sample answers to the exercises would provide a little more feedback for readers who can't rely on a professor for specific guidance on their answers. Still, the exercises reinforce the key concepts of the chapters and so can be useful to practitioners and students alike.

The authors cover a great deal of ground in 469 pages. Part 1 gives a very dense but accurate and concise overview of the U.S. legal system, covering differences between common law systems and code law systems and the implications of our dual federal/state jurisdictions. Part 2 is a general introduction to writing geared again both to legal writing and legal writing in the U.S. The chapter in this section on plagiarism and the rationale for attribution is excellent. The examples given of the differences between quoting, summarizing, and paraphrasing, and the guidelines on when to use which, should be assigned for every legal writing course. In part 3, the



authors go into the detail about analyzing, organizing, and writing factual and law-based issues. This section also includes an overview of legal citation rules, tending to emphasize Aspen's ALWD citation manual. In part 4 writing client letters and demand letters are briefly covered, while part 5 contains a very thorough introduction to drafting contracts. It is in this part that the authors have placed a number of helpful guidelines on using proper word choice, sentence structure, and overall document organization to promote clarity and avoid the ambiguity that could lead to litigation. These are especially written

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***The authors cover a great deal of ground in 469 pages.***

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for non-native English speakers, but again, I think anyone doing any kind of legal writing would find these sections very helpful.

The work concludes with numerous appendixes that contain case excerpts that are used in the examples and exercises that run throughout the book. The authors also provide a glossary of terms, which is not really a stand-alone glossary of terms unique to the U.S. legal system. To be fair, such a glossary would be beyond the scope of this work, but it does provide a place to give the meanings for terms used in this book that really must be understood to get the full benefit.

A few additions could make this book even more useful. In the glossary, page references to the text where the term is discussed would be useful; as would "see also" and "compare" references between entries. A generic sample answers section for those using the book on their own instead of in a class. And, given the very concise treatment of the subjects covered, a "further readings" section at the end of each chapter would add a great deal of value to the work. I do hope there are many future versions of this work. I can see it becoming a standard for years to come.

— Kimberli A. Morris, Assistant Law Librarian,  
Penn State Dickinson School of Law,  
University Park, PA

## **REFERENCE**

**The Virtual Reference Handbook.** Diane K. Kovacs. 2007. Neal-Schuman Publishers, Inc. Softcover. 150p. ISBN: 978-1-55570-598-5. \$65.

The world of virtual reference can be a scary place, especially for librarians who are new to computers and digital services in general. Questions about how to provide the best service for patrons abound. While many books have been written on the topic of virtual reference, most consist of surveys or are directed at librarians who have more experience in

the virtual world. This leaves few options for those librarians interested in how to begin providing virtual reference services. Diane Kovacs attempts to fill in that gap.

In this book, she gently introduces readers to the world of virtual reference, even providing definitions for commonly used terms. Kovacs doesn't offer readers her opinion alone; she also includes comments from other virtual reference librarians, both academic and public. Unfortunately, some of the comments were written in a less formal style, making them harder to understand. However, most comments are quite useful and easy to follow.

Kovacs provides learning activities and competencies for three areas of virtual reference: technical, communications, and reference. The learning activities are designed to help librarians complete the various competencies listed. Most of the activities include links to other sites where users can practice the different skills needed for chat reference, e.g., typing, Boolean searching, and analyzing reference

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questions. A chart of the competencies is provided at the end of chapter 1. In each following chapter, she delves into these competencies more thoroughly, explaining what each requires for completion. When appropriate, instructions are given for both PC and Mac users.

The text itself is well written and easy to understand. Technical jargon is kept to a minimum, increasing understanding by users with very little technical knowledge. The font type and size are easy on the eyes and are consistent throughout the book. The table of contents is clear and detailed, providing the exact chapters and pages for the competencies and the learning activities. A list of the virtual reference librarians quoted is offered in the beginning of the book. This list includes the names, titles, organizations, websites, and e-mail addresses for the librarians who contributed. The book progresses in an intuitive way, starting with a basic comfort level (using a computer) and working its way to more complex chat reference lessons. The index has enough spacing of entries to avoid a cluttered look, making it easy for anyone to navigate.

There are problems with some of the links provided. In the beginning of the book, Kovacs references Wikipedia for several definitions. The use of

*continued on page 16*